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INTERIM REPORT OF THE SELECT COMMITTEE
ON LABOUR RELATIONS OF THE ONTARIO LEGISLATURE



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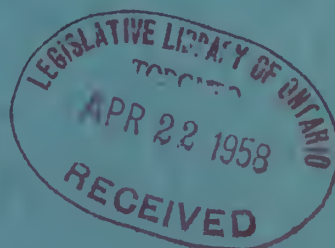
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INTERIM REPORT
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SELECT COMMITTEE ON LABOUR RELATIONS
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ONTARIO LEGISLATURE

James A. Moloney, Q.C. Chairman	Renfrew South
G. E. Jackson	London South
Robert W. Macaulay, Q.C.	Riverdale
Donald C. MacDonald	York South
Ellis Morningstar	Welland
Raymond M. Myers, Q.C.	Waterloo South
Arthur J. Reaume	Essex North
H. Leslie Rowntree, Q.C.	York West
Hon. J. W. Spooner	Cochrane South
Albert Wren	Kenora
John Yaremko, Q.C.	Bellwoods

George T. Walsh, Q.C.	Committee Counsel
Harold Perkins	Committee Secretary

To The Honourable
The Legislative Assembly
of the Province of Ontario.

Honourable Members:-

This Select Committee on Labour Relations was appointed on the 27th day of March, 1957, during the Third Session of the Twenty-fifth Parliament, on the motion of the Honourable Leslie M. Frost, Prime Minister of Ontario, seconded by the Honourable Mr. Charles Daley, Minister of Labour:-

"Ordered, That a Select Committee of the House be appointed to examine into and report regarding the operation and administration of the Labour Relations Act in all of its aspects.

And that the Select Committee have authority to sit during the interval between Sessions and have full power and authority to call for persons, papers and things and to examine witnesses under oath, and the Assembly doth command and compel attendance before the said Select Committee of such persons and the production of such papers and things as the Committee may deem necessary for any of its proceedings and deliberations, for which purpose the Honourable the Speaker may issue his warrant or warrants.

The said Committee to consist of eleven members, as follows:-

Mr. Maloney (Chairman), Messrs. Jackson, Macaulay, MacDonald, Morningstar, Myers, Reaume, Rowntree, Spooner, Wren, Yaremko."

Since our appointment we have pursued our studies of this matter, but unfortunately there has not been sufficient time to furnish an adequate synopsis of the numerous problems involved or to investigate all of the particular conditions which exist in the complicated field of labour relations in the Province of Ontario.

The Committee held its first meeting on April 17, 1957 for organizational purposes and to decide on procedure, etc. It was decided to meet on Tuesdays, Wednesdays and Thursdays, and the Committee concluded that the best way to carry out the task assigned to us was to invite employee organizations, employer organizations and other groups and persons connected with labour relations to make submissions to this Committee,

containing their views on the operation and administration of the Labour Relations Act, and to submit suggestions for amendments or additions to that Act which they considered to be necessary from their experience in this field.

The Committee appointed Mr. Harold Perkins Secretary to the Committee and Mr. George T. Walsh, Q.C. Committee Counsel.

The Committee adjourned until the 24th of June 1957, and met again on June 24, 25 and 26 to receive a report prepared by Professor H. A. Logan on the "Antecedents of the Labour Relations Act 1950". This report dealt with the historical background of labour relations in Ontario which lead up to the passing of the Collective Bargaining Act of 1943, and subsequently the Labour Relations Board Acts of 1944 and 1947, and the Labour Relations Acts of 1948 and 1950.

On June 25th Mr. J. B. Metzler, Deputy Minister of Labour, filed a "Summary of the Provisions of the Labour Relations Act" which dealt with the main provisions of the Ontario Labour Relations Act, with detailed explanation of the administration of most of the important sections of that Act.

During the discussion of these two reports, the Committee had the benefit of advice from Mr. J. Finkelman, Chairman of the Labour Relations Board, and Mr. Louis Fine, Chief Conciliation Officer of the Department of Labour, who were able to explain details in connection with the Labour Relations Board, and the Conciliation services of the Department of Labour. The Committee also had the advice and experience of the Honourable Charles Daley, Minister of Labour, and Mr. J. B. Metzler, Deputy Minister of Labour.

The Committee adjourned its sessions until the week of September 23, 1957, in order to obtain necessary information and statistics for the information of the Committee.

Arbitration:

That Section 32(1) should be extended to apply to all disputes during the term of the agreement;

In the alternative, to make strikes legal in cases of non-arbitrable grievances;

That legislation be enacted to make jurisdictional disputes subject to arbitration;

That legislation be enacted to make arbitration awards enforceable.

Public Employees:

That the Labour Relations Act should apply to employees of the Crown;

That Section 78 (re municipal employees) should be deleted.

Unfair Practices:

That the refusal of an employer to bargain during a strike should be listed as an unfair labour practice;

That unlawful strikes, sympathy strikes, unlawful picketing, organizational picketing, picketing as secondary boycotts, and jurisdictional picketing should be prohibited.

Union Security:

That voluntary check-off of union dues should be granted if employees approve of same by vote.

Financial Statements:

That Unions should file Financial Statements.

Exemptions:

That hospital employees should be exempt from the Act;

That certain professional groups should be exempt from the Act.

Enforcement:

That Unions should be licensed and subject to suit;

That the Rights of Labour Act should be repealed;

That the Labour Relations Board should issue "cease and desist" orders;

That decisions of the Labour Relations Board should be subject to appeal.

Prosecutions:

That all illegal and criminal acts be vigorously prosecuted by the Crown;

Provide heavier penalties for violations of the Act.

On January 30, 1958 sworn evidence was presented to the Committee alleging intimidation, coercion, damage to property, violence and threats of violence in the trucking industry. The Committee decided to refer this matter to the Attorney-General for investigation by that Department. The Attorney-General informed the House on February 11, 1958 that he was proceeding with this investigation under the Public Enquiries Act.

The problem of Labour Relations is so involved and so technical with implications covering such a wide field, your Committee found it impossible to finally complete a satisfactory study during the time the Committee has been in existence.

Your Committee feels that some additional investigation and study is necessary before they would be in a position to make any report to this House in accordance with the terms of reference setting up this Select Committee.

To this end we submit herewith this Interim Progress Report, and we respectfully request that the life of this Committee be extended to enable us to continue this investigation immediately after this Session is prorogued so that we can hear the submissions still to be presented, study comparative legislation in force in other jurisdictions, and that we then be permitted, after careful consideration of all matters brought to the attention of this Committee, to make our Report.

James A. Maloney
James A. Maloney, Chairman

G. E. Jackson
G. E. Jackson

E. F. Morningstar
E. F. Morningstar

H. I. Rowntree
H. I. Rowntree

R. W. Macaulay
R. W. Macaulay

R. H. Myers
R. H. Myers

J. W. Spooner
J. W. Spooner

D. C. MacDonald
D. C. MacDonald

A. J. Reaume
A. J. Reaume

A. Wren
A. Wren

J. Yaremko
J. Yaremko

Dated at Toronto this **TWENTY FIFTH** day of **MARCH** 1958.

APPENDICES

- No. 1 Schedule of Committee Meetings and dates
 when submissions were heard.
- 2 List of Organizations representing Employees
 who submitted a brief to the Select Committee
 on Labour Relations.
- 3 List of Organizations representing Employers
 who submitted a brief to the Select Committee
 on Labour Relations.
- 4 List of other Groups or Individuals who submitted
 a brief to the Select Committee on Labour
 Relations.
- 5 List of Organizations, Groups or Individuals who
 have registered their desire to present a brief
 to the Select Committee on Labour Relations, but
 who have not yet done so.
6. Acknowledgments.
7. Summary of Suggestions and Recommendations
 contained in the briefs and submissions
 received by the Select Committee on Labour
 Relations.

SCHEDULE OF COMMITTEE MEETINGS AND HEARINGS1957

- Apr. 17 Organizational Meeting
- June 24 Prof. H. A. Logan Antecedents of Labour Relations Act
 25 J. B. Metzler Summary of Provisions of Labour Relations Act
 26 Louis Fine Conciliation Services
- Sept. 23 J. Finkelman (Statistical Tables and Operation of
 24 " (Labour Relations Board)
- 25 National Council of Canadian Labour
 Christian Labour Association of Canada
- 26 Canadian Construction Asscn., Ont. General Contractors
 Asscn. and Toronto Builders Exchange
- Oct. 1 Ontario Federation of Labour
- 2 Ontario Hotel Association
 Building Service Employees International Union
- 3 International Union Mine, Mill & Smelter Workers
- 8 United Bro. of Carpenters & Joiners Ont. Prov. Council
- 9 Seventh-Day Adventists Church in Canada
 Ontario Mining Association
- 10 Canadian Automobile Chamber of Commerce
 Canadian Independent Labour Association and Unions
- 15 United Automobile etc. Workers of Am. U.A.W.
- 16 United Electrical Radio & Machine Workers, U.E.W.
- 17 Prof. H. D. Woods
- 22 Building & Construction Trades Council, Hamilton
 Building & Construction Trades Council, Toronto
- 23 Ontario Hospital Association
 National Union of Public Service Employees
- 24 Registered Nurses Association of Ontario
 Canadian Physiotherapy Association
 Ontario Land Surveyors Association
- 29 Canadian Manufacturers Association
 30 " " " (continuation)
- Nov. 26 United Steelworkers of America
- 27 Group of London Manufacturers
 Canada Vitrified Products Limited
- 28 Chamber of Commerce of Ontario
 " London
 " Kitchener
 " Windsor
 Windsor Automotive Parts Manufacturers
- Dec. 3 Ontario Dietetic Association
 United Automobile, etc. Workers U.A.W. (continuation)
 Canada Name Plate Ltd.

- Dec. 4 National Union of Public Employees
Ontario Federation of Public Employees
Hamilton and District Labour Council
United Packinghouse Workers of America
- 5 Gamble-Robinson Ltd.
United Brewery, Flour and Distillery Workers of America

Briefs tabled but no hearing requested

Dominion Cartage Limited
London Free Press Printing Co.
Prof. J. C. Cameron, Queen's University
Messrs. Lore & Sligh of Windsor
Miss Louise Steele, R.N.
Canadian Textile Council

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- Jan. 21 Christian Reformed Church
Co-operative Commonwealth Federation
H. G. Pittman and Associates
- 22 International Nickel Co. of Canada Ltd.
Religion - Labour Foundation
- 23 Teamsters, Chauffeurs, Warehousemen & Helpers
Motor Transport Industrial Relations Bureau
Ontario Federation of Printing Trades Unions
- 28 Ontario Forest Industries Association
J. C. Adams, Q.C.
E. Macaulay Dillon, Q.C.
- 29 Culinary Bartenders & Hotel Service Employees
Canadian Construction Workers Union Div. 2
United Mine Workers of America
- 30 Ontario Daily Newspaper Publications
Individual Dump-Truck Owners Association
Aggregate Producers Association of Ontario
- 31 Board of Trade of the City of Toronto

Briefs tabled but no hearing requested

Primary Textile Institute
Automobile Dealers Association of Toronto
Automobile Dealer Associations of Ontario
J. E. Houck
N. L. Mathews Q C
F. L. Freudeman
Windsor & District Labour Council

List of Organizations representing EMPLOYEES who submitted Brief to the Select Committee on Labour Relations

Building and Construction Trades Council, Hamilton
 Building and Construction Trades Council, Toronto
 Building Service Employees, International Union
 Canadian Construction Workers Union Div. 2
 Canadian Independent Labour Associations and Unions
 Canadian Physiotherapy Association
 Canadian Textile Council
 Christian Labour Association of Canada - Hamilton
 Culinary Bartenders and Hotel Service Employees
 Hamilton and District Labour Council
 International Union of Mine, Mill and Smelter Workers
 National Council of Canadian Labour
 National Union of Public Employees
 National Union of Public Service Employees
 Ontario Dietetic Association
 Ontario Federation of Labour
 Ontario Federation of Printing Trades Unions
 Ontario Federation of Public Employees
 Registered Nurses Association of Ontario
 Teamsters, Chauffeurs, Warehousemen and Helpers
 Textile Workers Union of America
 Toronto Municipal Employees Association
 United Automobile Aircraft, etc. Workers of America - U.A.W.
 United Brewery Flour, etc. and Distillery Workers
 United Bro. of Carpenters & Joiners, Provincial Council
 United Electrical Radio and Machine Workers, U.E.W., Toronto
 United Mine Workers of America, District 50
 United Packinghouse Workers of America
 United Steelworkers of America, Toronto
 Windsor and District Labour Council

Appendix 3

List of Organizations representing EMPLOYERS who submitted Brief to the Select Committee on Labour Relations

Aggregate Producers Association of Ontario
 Automobile Dealer Associations of Ontario
 Automobile Dealers Association of Toronto
 Board of Trade of the City of Toronto
 Canada Vitrified Products Limited
 Canadian Automobile Chamber of Commerce
 Canadian Manufacturers Association -
 Canadian Electrical Manufacturers Association
 Canadian Warehousemen's Association
 Council of Printing Industries
 Grand River Industrial Association
 Radio Electronics Television Manufacturers Association of Can.
 Canadian Name Plate Co. Limited
 Chamber of Commerce of Ontario
 Chamber of Commerce, Windsor, London, Stratford, Kitchener
 Dominion Cartage Limited
 Gamble-Robinson Limited
 International Nickel Co. of Canada Limited
 London Free Press Printing Co. Limited
 London Manufacturers, Group of
 Motor Transport Industrial Relations Bureau
 Ontario Daily Newspaper Publications
 Ontario Forest Industries Association
 Ontario General Contractors Assoc. & Toronto Building Exchange
 Ontario Hospital Association
 Ontario Hotel Association
 Ontario Land Surveyors, Association of
 Ontario Mining Association
 Primary Textiles Institute
 Windsor Automotive Parts Manufacturers

Appendix 4

List of other GROUPS or INDIVIDUALS who submitted
Brief to the Select Committee on Labour Relations

Adams, J. C. Q.C.
Bullock, John A.
Cameron, Prof. J. C.
Christian Reformed Church
Co-operative Commonwealth Federation
Dillon, E. Macaulay, Q.C.
Freudeman, F. L.
Houck, J. E., Industrial Relations
Individual Dump-Truck Owners Association
Lore, T. & Sligh, W.
Mathews, M. L. Q.C.
Osler, J. H. Q.C.
Pittman, H. G. & Associates
Religion - Labour Foundation, Toronto
Seventh-Day Adventist Church
Straw, R. S.
Waterson, Ronald
Woods, Prof. H. D.

Appendix 5

List of ORGANIZATIONS, GROUPS or INDIVIDUALS who have
registered their desire to present a brief to the Select
Committee on Labour Relations, but have not yet done so

Bricklayers, Masons and Plasterers, Ontario Provincial Command
Building & Construction Trades, International Officers Assoc.
Economic Rights & Freedoms Committee
Hamilton Municipal Employers Association
Labour Progressive Party
Max Lerner
Niagara Industrial Relations Committee
Ontario Mayors and Reeves Association
Ontario Professional Foresters Associations
Osler, J. H. Q.C.
Society of Ontario Hydro Professional Engineers
Stewart, Miller
Textile Workers Union of America
Wren, Drummond

Chairmen of Conciliation Boards who have consented
to appear before this Committee at a later date

Judge J. C. Anderson	Belleville
Judge Harold E. Fuller	Welland
Judge Walter Little	Ferry Sound
Mr. Eric G. Taylor	Toronto

ACKNOWLEDGMENTS

This Committee wishes to acknowledge the splendid co-operation and assistance rendered to it by the following government officials, representatives of employer and employee organizations, and other groups or persons with expert knowledge of labour relations matters.

J. B. Metzler	Deputy Minister of Labour
Louis Fine	Chief Conciliation Officer
Prof. H. A. Logan	Department of Labour
Mrs. J. C. Grimshaw	Department of Labour
Mr. J. Finkelman	Chairman, Labour Relations Board
G. W. T. Reid	Vice-Chairman, do.
A. M. Brunskill	Registrar, do.
E. Etchen	Labour Relations Board
Mrs. M. Fraser	Legislative Library, Queen's Park
N. deW. Lyons	Labour Relations Board, Vancouver.
M. M. Maclean	Asst. Deputy Minister of Labour, Ottawa
Dr. Geo. V. Haythorne	do.
Miss Edith Lorentsen	Director Legislation Br., Ottawa
Bernard Wilson	Canada Labour Relations Bd., Ottawa
Douglas M. Young	International Labour Office, Ottawa
Miss M. Currie	U. K. Information Service
Mrs. Clara M. Boyer	U.S. Dept. of Labour, Washington, D.C.
R. J. Mitchell	Chairman, Jurisdictional Bd. Washing-
John T. Dunlop	Ex-Chairman do. ton
Prof. Bora Laskin	Toronto University
Prof. J. C. Cameron	Queen's University
Prof. H. D. Woods	McGill University
Don MacLeod	Harvard University
John R. Kinley	Nat. Industrial Conf. Bd. Inc.,
C. C. Belden	Montreal
	Industrial Relations Counsellors
	Service, Inc., Toronto
A. C. Crysler, Q.C.	Toronto Board of Trade
G. C. Bernard	Canadian Manufacturers' Association
E. F. L. Henry	do.
H. J. Clawson	Steel Co. of Canada, Ltd.
L. W. Howes	Toronto Builders Exchange
D. F. Hamilton	Ontario Federation of Labour
Eamon Park	United Steelworkers of America
George Burt	United Automobile Workers of Am. UAW
A. G. Hearn	Int. Union Building Service Employees
Edmund Boyer	United Bro. of Carpenters & Joiners
Clive Thomas	National Council of Canadian Labour
R. P. Rintoul	National Union of Public Employees
Ross Russell	United Electrical Radio & Machine
	Workers of America
Arthur Williams	United Mine Workers of Am. Dist. 50
R. L. Stevenson	Int. Union of Mine, Mill & Smelter
	Workers

